

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRIAN GLASS, et al.,
Plaintiffs,

v.

HOLIDAY INN CLUB VACATIONS, et
al.,
Defendants.

Case No. [18-cv-06156-MMC](#)

**ORDER GRANTING DEFENDANTS'
MOTION TO DISMISS**

Re: Dkt. No. 17

On December 10, 2018, defendants filed a "Motion to Dismiss Complaint," in which defendants argued the above-titled action is subject to dismissal for lack of personal jurisdiction. On December 24, 2018, plaintiffs filed a response, in which they stated no opposition to defendants' argument but sought leave to file a motion to transfer to "an appropriate federal district." (See Pl.s' Non-Opposition at 2:11-12.) By order filed January 3, 2019, the Court afforded plaintiffs leave to file a supplement to their response, for the purpose of identifying the federal district(s) they believed were appropriate.

Now before the Court is plaintiffs' supplement, filed January 24, 2019, and defendants' reply thereto. In their supplement, plaintiffs do not identify any district to which the instant action should be transferred, but, rather, seek an order of dismissal without prejudice to refiling their complaint in another district.

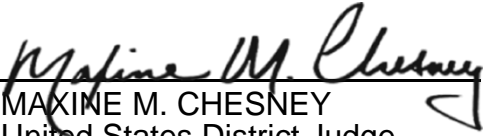
Accordingly, for the reasons stated by defendants, the above-titled action is hereby DISMISSED for lack of personal jurisdiction, without prejudice to refiling in any appropriate forum. See Grigsby v. CMI Corp., 765 F.2d 1369, 1372 n.5 (9th Cir. 1985)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(holding dismissal for lack of personal jurisdiction is without prejudice).

IT IS SO ORDERED.

Dated: January 28, 2019


MAXINE M. CHESNEY
United States District Judge